

REMARKS

The above amendments and these remarks are responsive to the Office Action issued on October 6, 2005. By this response, claims 1-9 are amended, and claim 11 is newly presented. Claim 10 is cancelled without prejudice. No new matter is added. Claims 1-9 and 11 are now active for examination.

The Office Action

The Office Action rejected claims 1 and 10 under 35 U.S.C. §103(a) as being unpatentable over Furukawa (U.S. Patent Publication No. 2003/0016802). Claims 2-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Furukawa and Aoyama (U.S. Patent Publication No. 2004/0110528). It is respectfully submitted that the claim rejections are overcome in view of the amendments and/or remarks presented herein.

The Rejections of Claim 10 Are Moot

By this Response, claim 10 is cancelled without prejudice. Accordingly, the rejections of claim 10 are moot.

The Obviousness Rejection of Claim 1 Is Overcome

Claim 1 was rejected as being unpatentable over Furukawa. By this Response, claim 1 is amended. It is respectfully submitted that the obvious rejection is overcome because Furukawa cannot support a prima facie case of obviousness.

Claim 1, as amended, describes a program for execution by a mobile terminal device. The mobile terminal device includes a first communicator, a second communicator and a button.

When the button is activated, the program is received by the first communicator in exchange for a wireless communication signal being unable to be transmitted from the second communicator. According to an embodiment described in the written disclosure, the mobile terminal device includes more than one communicator. When a user with the mobile terminal device enters a specific location, such as a museum or performance hall, the telephone communication from the mobile terminal device is disabled in exchange for receipt of a program or content signals, such as specialized programs, new services or contents.

However, Furukawa does not disclose every feature of claim 1. According to Furukawa, a communication support system is provided to facilitate using a telephone unit to transmit signals to remotely control a personal computer in order to obtain machine-implemented assistance. The support system, controlled by software, detects a command signal sent by a telephone unit and a command signal sent from a telephone network. In response, the transmission of a signal from the telephone unit to a telephone network is inhibited. See paragraphs [0028] and [0029] of Furukawa.

Apparently, the support system disclosed in Furukawa merely inhibits the transmission of a signal from the telephone unit to a telephone network. Furukawa fails to specifically teach that the telephone signal is disabled in exchange for receipt of a program. Furthermore, the telephone unit as described in Furukawa does not include a plurality of communicators, as described in claim 1. Additionally, according to the disclosure of Furukawa, it is the support system that operates under the control of software program code. No program was received by the telephone unit in exchange for stopping sending communication signals from the telephone unit. Since Furukawa fails to disclose every limitation of claim 1, Furukawa cannot support a prima facie

case of obviousness. The obviousness rejection of claim 1 is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Incidentally, though the Examiner acknowledged that the telephone unit in Furukawa does not include a control button as described in claim 1, the Examiner asserted that using a button in telephone units is common and took official notice indicating that the claimed button is obvious. Applicants respectfully disagree. Claim 1 describes a specific control sequence in response to the activation of the button. It is submitted that the specific control sequence is not available in Furukawa, and that there is no specific disclosure in the Furukawa that the action of the button would trigger the specific control sequence as described in claim 1. To the extent that the Examiner intended to take Official Notice of such claimed feature, Applicants respectfully request that documentary evidence be produced to support the Official Notice, if any, as required by 37 CFR § 1.104(d)(2) and MPEP § 2144.03.

The Obviousness Rejection of Claims 2-9 Is Traversed

Claims 2-9 were rejected as being unpatentable over Furukawa and Aoyama. The obviousness rejection is respectfully overcome because Furukawa and Aoyama cannot support a prima facie case of obviousness.

Claim 2, as amended, describes a signal processing system for a wireless communication signal that uses a mobile terminal device, a server, and a network base station transmitting the wireless communication signal. The mobile terminal device includes a network communicator, a content receiver and a decision button for indicating a decision not to transmit the wireless communication signal to the network base station in exchange for receiving predetermined contents transmitted from the server. When the decision button has been activated, the wireless

communication signal is not transmitted by the network communicator to the network base station, and in exchange for receipt of predetermined contents transmitted from the server by the content receiver.

As discussed earlier relative to claim 1, the support system in Furukawa merely inhibits the transmission of a signal from a telephone unit to a telephone network. Furukawa, however, fails to specifically teach that the telephone signal is disabled in exchange for receipt of predetermined contents. Furthermore, the telephone unit as described in Furukawa does not include a plurality of communicators, as described in claim 2. Additionally, according to the disclosure of Furukawa, it is the support system that operates under the control of software program code. No predetermined contents were received by the telephone unit in exchange for stopping sending communication signals from the telephone unit.

The other reference, Aoyama, was cited for its purported disclosure of a control button, and does not alleviate the deficiencies of Furukawa.

Accordingly, Furukawa and Aoyama, even if combined, do not disclose every limitation of claim 2. Therefore, Furukawa and Aoyama cannot support a prima facie case of obviousness. The obviousness rejection of claim 2 is untenable and should be withdrawn. Favorable reconsideration of claim 2 is respectfully requested.

Claims 3-6 depend on claim 2 and incorporate every limitation thereof. Consequently, claims 3-6 are patentable over Furukawa and Aoyama by virtue of their dependencies from claim 2, as well as based on their own merits. Favorable reconsideration of claims 3-6 is respectfully requested.

Claims 7-9 depend on claim 1 and incorporate every limitation thereof. Consequently, claims 7-9 are patentable over Furukawa and Aoyama by virtue of their dependencies from claim

1, as well as based on their own merits. Favorable reconsideration of claims 7-9 is respectfully requested.

In rejecting claim 7, the Examiner asserted features of claim 7 in paragraphs [0028] and [0029] of Furukawa. However, in addition to the features described in claim 1, claim 7 further describes displaying the name of a distributor of the program transmitted to the mobile terminal device. Nowhere do paragraphs [0028] and [0029] of Furukawa disclose displaying the name of a distributor of the program transmitted to the mobile terminal device, as described in claim 7. The rejection of claim 7 is untenable and should be withdrawn. Favorable reconsideration of claim 7 is respectfully requested.

New Claim 11 Is Patentable

New claim 11 describes a mobile terminal device comprising a network communicator configured to transmit a wireless communication signal to a network base station, and a content receiver configured to receive a content transmitted from a server. A decision button is provided to indicate a decision not to transmit a wireless communication signal to the network base station in exchange for receiving a content transmitted from the server. Responsive to the decision button being activated, transmissions of the wireless communication signal to the network base station by the network communicator are prohibited, and the content transmitted from the server is received by the content receiver.

It is believed that the features described in claim 11 are not disclosed or suggested by the documents of record, either alone or combined. Favorable consideration of claim 11 is respectfully requested.

CONCLUSION

For the reasons given above, Applicants believe that this application is conditioned for allowance and request that the Examiner give the application favorable consideration and permit it to issue as a patent. However, if the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representatives listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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